

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
**3:12cv559**

CATAWBA RIVERKEEPER )  
FOUNDATION and CLEAN AIR )  
CAROLINA, )  
                        )  
                        Plaintiff, )  
                        )  
vs.                     )                         **ORDER**  
                        )  
NORTH CAROLINA DEPARTMENT OF )  
TRANSPORTATION, EUGENE CONTI, )  
SECRETARY, NCDOT, FEDERAL )  
HIGHWAY ADMINISTRATION, JOHN F. )  
SULLIVAN, DIVISION ADMINISTRATOR, )  
FHWA, )  
                        )  
                        Defendants. )  
                        )

**THIS MATTER IS BEFORE THE COURT** on its own motion. After reviewing the above captioned case, the undersigned hereby recuses himself from this case.

**IT IS THEREFORE ORDERED** that this case be re-assigned to another District Judge.

**IT IS SO ORDERED.**

Signed: September 10, 2012



Graham C. Mullen  
United States District Judge

